REMARKS

Claims 1-43 are pending in the application; the status of the claims is as follows:

Claims 1-9 are withdrawn from consideration.

Claims 16-38 are allowed.

Claims 10 and 39 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,774,601 to Mahmoodi ("Mahmoodi").

Claims 11 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mahmoodi in view of U.S. Patent No. 5,793,379 to Lapidous ("Lapidous").

Claims 12-14, and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mahmoodi in view of Lapidous, and further in view of U.S. Patent No. 5,990,949 to Haruki ("Haruki").

Claims 15, 42, and 43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mahmoodi in view of U.S. Patent No. 5,734,427 to Hayashi ("Hayashi").

The indication, in the Office Action, that the Examiner has no objections to the drawings filed on June 19, 1998, is noted with appreciation.

Claims 10 and 39 have been amended to clarify and to improve the form thereof. These changes do not introduce any new matter.

35 U.S.C. § 102(e) Rejection

The rejection of claims 10 and 39 under 35 U.S.C. § 102(e) as being anticipated by Mahmoodi, is respectfully traversed because Mahmoodi fails to disclose every feature of the rejected claims.

When not defined by applicant in the specification, words must be read as they would be interpreted by one of skill in the art. It is respectfully submitted that one of skill in the art would not interpret recorder, as used in claims 10 and 39, to mean printer. For example, Hayashi discloses recording to a recording medium and Suzuki discloses recording an image to a disk. Two references use 'recording' in connection with storing an image on a storage media whereas, no references of record use 'recording' in connection with printing an image. Thus, contrary to the assertion at paragraph 5 of the Office Action, laser printer 26 is not a recorder.

Nevertheless, claims 10 and 39 have been amended to clarify that the recorder records image data to a storage medium. Mahmoodi fails to disclose a device including a recorder that records to a storage medium. More specifically, Mahmoodi fails to disclose the application of a first interpolation to image data when it is to be displayed and a second different interpolation to image data when it is to be recorded on a storage media.

Therefore, with respect to claim 10, Mahmoodi fails to disclose "a recorder for recording image data transferred from said imaging device into a specified storage medium" and an interpolating portion that executes "a first interpolation when displaying by the display unit, while executing a second interpolation different from the first interpolation when recording by the recorder." And, with respect to claim 39, Mahmoodi fails to disclose an "image data processing method for an apparatus capable of image capturing which can selectively display a captured image or record a captured image on a storage medium, comprising the steps of: . . . executing a varied interpolating process depending on whether the captured image is to be displayed or recorded, wherein a first interpolating process is executed when displaying, while a second interpolating process different from the first interpolating process is executed when recording . . . ."

Accordingly, it is respectfully requested that the rejection of claims 10 and 39 under 35 U.S.C. § 102(e) as being anticipated by Mahmoodi, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claims 11-15, and 40-43 under 35 U.S.C. § 103(a), as being unpatentable over Mahmoodi in various combinations with Lapidous, Haruki, and Hayashi is respectfully traversed. Claims 11-15 depend from claims 10, and claims 40-43 depend from claim 39. Accordingly, claims 11-15 and 40-43 distinguish the cited art for at least the same reasons as provided hereinabove with regard to their respective parent claims. Accordingly, it is respectfully requested that the rejection of claims 11-15 and 40-43 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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